

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

|                    |   |                  |
|--------------------|---|------------------|
| JAMES ALAN REED,   | ) |                  |
|                    | ) |                  |
| Petitioner,        | ) |                  |
| vs.                | ) | NO. CIV-13-644-D |
|                    | ) |                  |
| STATE OF OKLAHOMA, | ) |                  |
|                    | ) |                  |
| Respondent.        | ) |                  |

**ORDER**

Petitioner, a state prisoner appearing *pro se*, brought this action pursuant to 28 U. S. C. § 2254, seeking a writ of habeas corpus and demanding his immediate release from custody. In accordance with 28 U. S. C. § 636 (b)(1)(B), the matter was referred to United States Magistrate Judge Gary M. Purcell for initial proceedings.

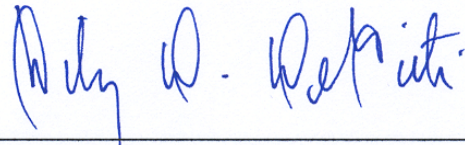
On June 25, 2013, the Magistrate Judge filed a Report and Recommendation [Doc. No. 6] in which he recommended that this action be transferred to the United States District Court for the Northern District of Oklahoma, as that district encompasses the District Court of Washington County, Oklahoma, which imposed the sentence Petitioner is challenging. Petitioner is incarcerated in the Oklahoma State Reformatory at Granite, Oklahoma, within this judicial district. As a result, the Northern and Western Districts have concurrent jurisdiction to consider his habeas corpus application. 28 U. S. C. § 2241(d). However, this Court has discretion to transfer the action to the Northern District. *Id.* Because the conviction was entered in the Northern District and state court records and counsel are located there, the Magistrate Judge recommended transfer pursuant to 28 U. S. C. § 1406(a).

Petitioner timely objected to the Report and Recommendation. However, his objections do

not address the legal authority for a transfer of this action. Instead, he argues that he does not seek habeas corpus relief but demands immediate release on other unspecified legal grounds, and asserts allegations unrelated to the Court's authority to transfer this action. These contentions do not impact the recommendation to transfer this action.

Accordingly, the Court adopts the Report and Recommendation [Doc. No. 6] as though fully set forth herein. This action is transferred to the United States District Court for the Northern District of Oklahoma, and the Court Clerk is directed to take the actions necessary to effectuate the transfer.

IT IS SO ORDERED this 26<sup>th</sup> day of July, 2013.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE